

# COTTONWOOD HEIGHTS

## RESOLUTION No. 2012-62

### A RESOLUTION APPROVING ENTRY INTO A LEASE AGREEMENT WITH AT&T CAPITAL SERVICES, INC.

**WHEREAS**, the city council (the "*Council*") of the city of Cottonwood Heights (the "*City*") met in regular session on 13 November 2012 to consider, among other things, approving and ratifying the City's entry into a lease agreement (the "*Agreement*") with AT&T Capital Services, Inc. ("*Provider*") for certain modems, antennas and other equipment, as requested by the City's police department; and

**WHEREAS**, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to approve the City's entry into the Agreement as proposed;

**NOW, THEREFORE, BE IT RESOLVED** by the Cottonwood Heights city council that the attached Agreement is hereby approved, and that the City's mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of the City; and be it

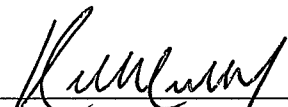
**FURTHER RESOLVED** by the Cottonwood Heights city council that the City's mayor and recorder, in consultation with the City's manager and attorney, are authorized and directed to execute and deliver on behalf of the City any additional or supplemental agreements or papers reasonably necessary or advisable in connection with such lease transaction, without the need for any further Council review; and

**FURTHER RESOLVED** by the Cottonwood Heights city council that any prior actions by the City's mayor and recorder to execute and deliver the Agreement on behalf of the City be, and hereby are, ratified and confirmed.

This Resolution, assigned no. 2012-62, shall take effect immediately upon passage.

**PASSED AND APPROVED** effective 13 November 2012.

**COTTONWOOD HEIGHTS CITY COUNCIL**

By   
Kelvyn H. Cullimore, Jr., Mayor



Linda W. Dunlavy, Recorder

**VOTING:**

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

**DEPOSITED** in the office of the City Recorder this 13<sup>th</sup> day of November 2012.

**RECORDED** this \_\_\_ day of November 2012.

587654.1



AT&T Capital Services, Inc.  
2000 W. AT&T Center Drive  
Hoffman Estates, IL 60192-5000

October 11, 2012  
Opportunity 1-41295218

CITY OF COTTONWOOD HEIGHTS, UTAH  
1265 EAST FORT UNION BLVD., SUITE 250  
COTTONWOOD HEIGHTS, UT 84047

AT&T Capital Services, Inc. is pleased to provide a proposal for the lease of the equipment and/or services as submitted to us. The proposed lease terms are as follows:

NOTE: AT&T EQUIPMENT/SERVICES CONTRACT IS REQUIRED BEFORE ORDER CAN BE PROCESSED.

Proposal Lease Type	Lease Term	Total Cost	Lease Rate	Down Payment	Payment Structure	Payment Amount
GX440						
Muni Conditional Sale	*36	\$21,866.00	0.00000	\$0.00	1 - 3	\$0.00
			0.03224		4 - 36	\$704.96
Muni Conditional Sale	24	\$21,866.00	0.04316	\$0.00	1 - 24	\$943.74
GX400						
Muni Conditional Sale	*36	\$15,288.00	0.00000	\$0.00	1 - 3	\$0.00
			0.03224		4 - 36	\$492.89
Muni Conditional Sale	24	\$15,288.00	0.04316	\$0.00	1 - 24	\$659.83

\* Signed proposal letter must be returned to prior to December 31, 2012

Credit Limit: \$35,000.00

- Rates quoted are for commercial leases only.
- Subject to Execution of Mutually Acceptable Documentation.
- Quoted Lease Payments Exclude Any Applicable Taxes.
- Payments may be indexed up until lease commencement.
- Customer agrees to allow AT&T Capital Services, Inc. to file UCC Financing Statements.
- Credit Approval will be withdrawn 120 days following the date of this letter if the lease has not commenced.
- Approval is pending verification of corporate name and final verification of credit information.
- Shipping charges are not included for Data Equipment.
- \$100.00 processing fee for lease cancellation prior to lease commencement if PO is issued.
- Lessee's failure to execute mutually acceptable documentation relative to this lease within ninety (90) days of the lessee's first functional use of the system will result in this lease converting to cash.
- For quoted maintenance - lease term and payment amount are subject to change after install is completed.

\*\* End of Lease Options:

Fair Market Value (FMV)

Customer may purchase for the current Fair Market Value (FMV) at the end of the Lease Term. Customer may renew the Lease at time of lease termination, or Customer may return the equipment per the lease terms.

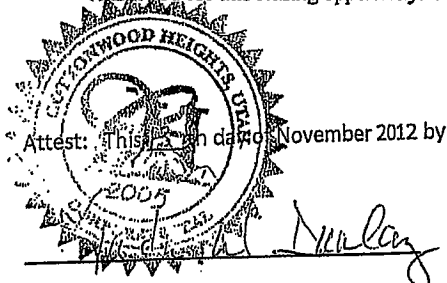
\$ 1 Purchase Option

Customer purchases the equipment for \$1.00 at the end of the lease term.

Conditional Sale

Finance Agreement. End of the lease options not applicable.

Thank you for this leasing opportunity. I am looking forward to working with you.



Linda Dunlavy, Recorder

AGREED TO AND ACCEPTED BY:

Requested Term/Lease Type:

Include

Equipment

Finance Maintenance

Name, Title:

Date:

GX400 36 months

Yes / No (please Circle option)

Yes / No (please Circle option)

Kelvyn H. Cullimore, Mayor

Dated: November 13th 2012